

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 11, 2016

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 11, 2016

The Senate met in regular session at 1:03 p.m., President Jochum presiding.

Prayer was offered by Pastor Eric Weaver of the First Baptist Church in Forest City, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Philip Kiely.

The Journal of Thursday, April 7, 2016, was approved.

The Senate stood at ease at 1:28 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:01 p.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Feenstra, until he arrives, on request of Senator Dix.

HOUSE AMENDMENTS CONSIDERED

[Senate File 453](#)

Senator Gronstal called up for consideration [Senate File 453](#), a bill for an act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority, amended by the House in House amendment [S-5102](#), filed March 24, 2016.

Senator Dotzler withdrew amendment [S-5110](#), filed by him on April 5, 2016, to page 2 of House amendment [S-5102](#).

Senator Dotzler offered amendment [S-5117](#), filed by him from the floor to page 2 of House amendment [S-5102](#), and moved its adoption.

Amendment [S-5117](#) to amendment [S-5102](#) was adopted by a voice vote.

Senator Dotzler moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Dotzler moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 453](#)), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2259](#)

Senator Gronstal called up for consideration [Senate File 2259](#), a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order, amended by the House in House amendment [S-5116](#), filed April 7, 2016.

Senator Mathis moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Mathis moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2259](#)), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dirk Dixon, Accountancy Examining Board
Ying Sa, Accountancy Examining Board
Laura Walker, Accountancy Examining Board

Dr. Ahmadu Baba-Singhri, Commission on the Status of African Americans

Michael Hulme, Commission on the Status of African Americans
Clair Rudison, Jr., Commission on the Status of African Americans

Richard Motz, Commission on Aging
Richard Stone, Commission on Aging

Lyle Borg, Agricultural Development Board

John Pauli, Alcoholic Beverages Commission

Kolby DeWitt, Architectural Examining Board

Jo Matibag, Commission of Asian and Pacific Islander Affairs

Christopher Wiedmann, Board of Athletic Training

James Paprocki, Iowa Autism Council

Rebecca Brockmann, Board of Barbering
Daniel Butler, Board of Barbering
Terry Moll, Board of Barbering

Erik Oostenink, Board of Behavioral Science
Jill Struyk, Board of Behavioral Science

Joseph Van Lent, Commission for the Blind

Gordon Neumann, Iowa Capital Investment Board

James Halverson, City Development Board

John Murphy, Commission on Community Action Agencies

Robert Thompson, Board of Cosmetology Arts and Sciences

Jeffrey Hayes, Credit Union Review Board

Brandon Paulsen, Board of Trustees of the Iowa Cultural Trust
Connie Schmett, Board of Trustees of the Iowa Cultural Trust

William Felderman, Commission of Deaf Services
Christina Herrin, Commission of Deaf Services

Dr. Steven Bradley, Board of Dentistry
Monica Foley, Board of Dentistry
Thomas Jeneary, Board of Dentistry

Prakash Kopparapu, Commissions of Persons with Disabilities

David Lorenzen, Iowa Drug Policy Advisory Council
Christina Wilson, Iowa Drug Policy Advisory Council

Richard Clewell, Early Childhood Iowa State Board
Elizabeth Colby Plautz, Early Childhood Iowa State Board

Thomas Buckman, Board of Educational Examiners

Kyle Barnhart, Electrical Examining Board
John Claeys, Electrical Examining Board
David Guthrie, Electrical Examining Board

Kerry Dixon, Elevator Safety Board
Peggy VandenBerg, Elevator Safety Board

James Strohman, Employment Appeal Board

Robert Fairfax, Engineering and Land Surveying Examining
Board
Eric Green, Engineering and Land Surveying Examining Board

Curtis Sindergard, Iowa Grain Indemnity Fund Board

Greg Fisher, Iowa Great Places Board

Dr. Edward Rogalski, Iowa Higher Education Loan Authority

Kimberly Kudej, Council on Human Services

Todd Mithelman, Interior Design Examining Board

Phyllis Peterson, Investment Board of the IPERS

Emily Naylor, Landscape Architectural Examining Board
Brenda Nelson, Landscape Architectural Examining Board

Marlu Abarca, Commission of Latino Affairs
Michelle Reuss, Commission of Latino Affairs

Regina Clemens, Iowa Law Enforcement Academy Council
Michael Tupper, Iowa Law Enforcement Academy Council

Mary Junge, Iowa Lottery Authority Board of Directors

Robin Markus, Board of Massage Therapy

Diane Cortese, Board of Medicine
Dr. Ronald Kolegraff, Board of Medicine

Marsha Edgington, Mental Health and Disability Services
Commission

Sharon Lambert, Mental Health and Disability Services
Commission

Brett McLain, Mental Health and Disability Services Commission

Heidi Burhans, Mental Health Risk Pool Board
Eugene Meiners, Mental Health Risk Pool Board

Timothy Perkins, Commission of Native American Affairs

Nancy Kramer, Board of Nursing
Mark Odden, Board of Nursing

Karol Dammann, Board of Nursing Home Administrators
Effie Hill, Board of Nursing Home Administrators
Lanny Ward, Board of Nursing Home Administrators

Dr. Thomas Hayden, Board of Optometry
Tamie Stahl, Board of Optometry

Susan Lerdal, Board of Parole

Chris Mayer, Peace Officers' Retirement, Accident, and Disability
System Trustee

Kay Jessen, Board of Pharmacy
Sharon Meyer, Board of Pharmacy

Jeremy Kuhn, Board of Physical and Occupational Therapy
Holly Little, Board of Physical and Occupational Therapy

Melissa Gentry, Board of Physician Assistants
Thomas Green, Board of Physician Assistants
Susan Koehler, Board of Physician Assistants

Donald Hansen, Plumbing and Mechanical Systems Examining Board
Kevin Kiene, Plumbing and Mechanical Systems Examining Board
Robert Kunkel, Plumbing and Mechanical Systems Examining Board

Dr. Earl Kilgore, Board of Psychology

Richard Arnold, State Racing and Gaming Commission

Robert Felderman, Real Estate Appraiser Examining Board
Vernon (Fred) Greder, Real Estate Appraiser Examining Board

Dennis Stolk, Real Estate Commission

Kelly Nieuwenhuis, Renewable Fuel Infrastructure Board

Amy Courneya, Board of Social Work

Diana Hanson, Board of Speech Pathology and Audiology

Mary Sellers, Iowa Telecommunications and Technology Commission

Lorene Mein, Commission on Tobacco Use Prevention and Control
Michele (Micki) Sandquist, Commission on Tobacco Use Prevention and Control

Melissa Walker, Commission on Tobacco Use Prevention and Control

Dan Gannon, Commission of Veterans Affairs
Gary Wattnem, Commission of Veterans Affairs

Dewayne Rahe, Iowa Board of Veterinary Medicine

Jacob Anderson, Vision Iowa Board

Sean Bagniewski, Commission on the Status of Women
Elizabeth Coonan, Commission on the Status of Women
David Gudenkauf, Commission on the Status of Women

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dix	Kraayenbrink	Shipley
Bisignano	Dotzler	Mathis	Sinclair
Bolkcom	Dvorsky	McCoy	Smith
Bowman	Garrett	Petersen	Sodders
Brase	Gronstal	Quirnbach	Taylor
Breitbach	Guth	Ragan	Whitver
Chapman	Hart	Rozenboom	Wilhelm
Chelgren	Hogg	Schneider	Zaun
Costello	Horn	Schoenjahn	Zumbach

Nays, 1:

Johnson

Absent, 1:

Feenstra

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 453** and **2259** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Kristin Johnson as Director of the Iowa Civil Rights Commission, placed on the Individual Confirmation Calendar on February 22, 2016, found on page 316 of the Senate Journal.

Senator Quirnbach moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Donna Mueller as Chief Executive Officer of the IPERS, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 594 of the Senate Journal.

Senator Horn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach

Chelgren	Horn	Schoenjahn
Costello	Jochum	Schultz
Courtney	Johnson	Segebart

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Mary Gannon as a member of the Public Employment Relations Board, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 593 of the Senate Journal.

Senator Whitver moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of James Van Fossen as a member of the Public Employment Relations Board, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 593 of the Senate Journal.

Senator Shipley moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Kathleen Fehrman as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Charese Yanney as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach

Chelgren	Horn	Schoenjahn
Costello	Jochum	Schultz
Courtney	Johnson	Segebart

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Paul Trombino III as Director of Transportation, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator Bowman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 47:

Allen	Danielson	Kapucian	Segebart
Anderson	Dix	Kinney	Seng
Behn	Dotzler	Kraayenbrink	Shiple
Bertrand	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach
Courtney	Johnson	Schultz	

Nays, 2:

Bisignano	Dearden
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Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

DEFERRAL OF APPOINTEE
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Ken Sagar as a member of Iowa Workforce Development Board, placed on the Individual Confirmation Calendar on March 30, 2016, found on page 611 of the Senate Journal.

Senator Dix asked and received unanimous consent that action on the appointment of Ken Sagar be deferred.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:37 p.m. until 9:00 a.m., Tuesday, April 12, 2016.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Closing the Achievement Gap Report, pursuant to Iowa Code section 256.9. Report received on April 8, 2016.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Jess Burger, West Branch—For being named 2016 Elementary Principal of the Year by the School Administrators of Iowa. Senator Dvorsky.

Barb Jorgensen, Harlan—For being recognized as a 2016 Red Cross Hero of the Heartland. Senator Schultz.

Barb Parker, Salix—Upon retirement after 26 years of service as Salix City Clerk. Senator Anderson.

AMENDMENTS FILED

<u>S-5117</u>	<u>S.F. 453</u>	William A. Dotzler, Jr.
<u>S-5118</u>	<u>H.F. 2064</u>	Steven J. Soddors